

**TOWN OF SHREWSBURY
ANNUAL TOWN MEETING
MAY 17, 2004**

On the fiftieth anniversary of representative town government in Shrewsbury, moderator Kevin T. Byrne appointed town meeting members Randall L. Dean, Robert F. Lutz and John T. Kehoe to serve as temporary moderators for the opening of town meeting. Mr. Dean, Mr. Lutz & Mr. Kehoe have served continuously as town meeting members since being elected on March 1, 1954.

Mr. Kehoe announced a quorum of town meeting members in attendance and called the meeting to order at 7:10 P.M. in the Shrewsbury High School auditorium. The checklist showed 215 town meeting members present, including members at large.

Mr. Lutz led the assembly in the pledge of allegiance to the flag.

Mr. Dean requested elected town meeting members take their place in front of the tellers.

The oath of office was administered by the town clerk to newly elected town meeting members in attendance.

A moment of silence was observed in memory of deceased former town meeting members Irving J. Donahue, Arthur Cellucci, Joseph Davolio, Ernest Tosi and John Cullen.

Microphone assistance was provided by members of the Shrewsbury High School Dance Team.

An asterisk indicates articles recommended by the Finance Committee.

***Article 1 Reports of Town Officers and Committees**

High School/Middle School Building Committee

Oak Street Middle School

One year ago, Town Meeting Members were informed that the project was in its sixth month of construction and running smoothly. A lot has happened since that time. In late May of 2003, a fire occurred at 45 Oak Street the origin of which was attributed by the Fire Marshall to construction operations. About that same time, we were advised by our construction manager, Construction Technology Management, that work by the general contractor, Standen Corporation, was behind schedule. In July 2003, LPA wrote to the surety, St. Paul Company, that lack of progress put at risk the opening of the school. Construction progress continued to deteriorate throughout the summer of 2003 resulting in the Building Committee voting to take action by advising St. Paul of our intent to place the project in default. This spurred some progress at the site for a short period. In a few months, however, subcontractor's invoices stopped being processed on a regular basis. In February 2004, Standen Company wrote to the Town Manager that they could not longer produce lien releases indicative of their inability to pay subcontractor invoices. Shortly there after, Standen voluntarily defaulted.

Normally, when a GC voluntary defaults, a project loses six months to a year. In this case, the Town was extremely fortunate. Through the efforts of the Committee and especially that of the Town Manager and Town Counsel, we were able to convince St. Paul to respond more aggressively to the situation. St. Paul responded and hired Jackson Construction. Jackson Construction built the highly successful Spring Street Elementary School. Jackson immediately hired key site staff from Standen, brought in additional management and rehired the subcontractors.

Jackson has committed to completing the project before the start of school. A significant portion of the academic areas will be complete by the end of June. The auditorium and gym areas will be complete by August 25. The athletic fields are to be complete by early June. Despite these unusual circumstances, the project remains on budget.

High School

The Committee continues to work to close out this project but is delayed resulting from ongoing disputes on some aspects of the construction that have resulted in cases being filed in the Superior Court. The areas of dispute involving flooring in the Commons and Main Corridors areas, landscaping, athletic fields and the condition of the rock face along the access road. The punch list value of remaining and disputed work is placed at \$1,588,850.00. The Committee will continue to endeavor to close out this project.

On the positive side of the ledger, the new building is now well into its second year of operation and every indication is that the building and systems will serve this community in an outstanding fashion for many years to come.

I would like to thank the efforts of the Building Committee for their many hours of extra effort.

Respectfull submitted,
Henry Fitzgerald
Building Committee Chairperson

Committee Members:

| | |
|------------------|----------------|
| Dr. Anthony Bent | Daniel Morgado |
| Maurice DePalo | Sandra McManus |
| John Masiello | Robert Cox |
| Richard Carney | Pasquale Sacco |

VOTED UNANIMOUSLY a motion to accept the report of the High School/Middle School Building Committee.

Shrewsbury Development Corporation

Good evening. My name is Hannah Kane. I am a Town meeting member representing Precinct 5, and the President of the Shrewsbury Development Corporation. I am here tonight to provide an update on the Corporations' work to develop the former Allen Farm property.

In September, 2002, the Town of Shrewsbury acquired the former Allen Farm property located on land on South Street and Route 20. The land had been owned and farmed by successive generations of the same family for more than 270 years.

Owing to the property's historical and economic importance to the Town, its anticipated development for 300 housing units caused significant concern for abutters and the community as a whole. While the Shrewsbury Master Plan of 2001 identified the Allen property and surrounding parcels as land suitable for office-research development, the requisite zoning changes had not yet occurred when the Town was notified that the Allen property land owners intended to sell the land for residential use. The Town elected to exercise its right of first refusal to acquire 49 acres and purchased the remaining 11 acres by negotiation.

The same town meeting that voted to acquire the Allen property also amended the zoning bylaw to an office/research zone. In addition, town meeting approved a home rule petition to establish the Shrewsbury Development Corporation. The legislature subsequently enacted Shrewsbury's petition and the Shrewsbury Board of Selectmen appointed the seven-member SDC Board of Directors in February 2003. The six other current Board members of the SDC are

- Pat Convery
- Christopher Boehm
- Christopher Mehne
- Richard Ricker
- Greg Riedel
- Michael Traynor

The SDC undertook a review of the various development options available and determined that engaging a development partner to assist us in achieving the development objectives we set would be the most viable. The development objectives we outlined are as follows:

- Increase and strengthen Shrewsbury's commercial/industrial tax base.
- Attract and retain viable businesses.
- Create new, high-quality jobs.
- Recover the town's investment over long-term tax growth.
- Protect the site's environmental resources
- Provide for industrial uses that place the lowest possible impact on municipal services, particularly water and sewer.
- Facilitate development that respects the interests of adjacent landowners.
- Complete a successful project that enables the SDC to undertake future community economic development activities for the Town.

Last August, the SDC issued a Request for Proposal for Developer Qualifications and Proposals.

After reviewing the response, the SDC selected the Worcester Business Development Corporation (WBDC) as its development partner, a regional agency who has partnered with the Town of Shrewsbury successfully in the past, most notably on the Centech Park development and most recently on the new connector road, CenTech Boulevard. As requested in the RFP, the proposal submitted by the WBDC includes providing predevelopment funds and services to accomplish all of the tasks necessary to prepare the site for development. Additionally, WBDC will be providing development phase services, and Kelleher & Sadowsky Associates, Inc. will serve as real estate brokers.

The Project is intended to proceed as a partnership between the SDC and WBDC. As a flagship project for the SDC, the successful development of the former Allen property is very important. The SDC will maintain appropriate control of the development Project by executing agreements that fulfill the goals outlined for the Project and by monitoring developer performance through completion of the Project.

The WBDC has undertaken a market analysis that will serve as the foundation of the development, providing important information about potential uses and users for the property, such as their requirements for building size, parking, utility needs, and employment potential. It will also provide insight that will allow the SDC/WBDC to recognize and exploit any advantages that our project may have over competing developments in the region. Additionally, the market analysis will help us understand the optimal timeframe for development by forecasting the growth needs of potential users based on the economic conditions in the foreseeable future. Finally, a market analysis will inform us of the expected job creation and we can also then begin to formalize financial projections for increased tax and other revenues to the Town of Shrewsbury.

Based on the findings in the market analysis and ongoing discussions with the SDC Board, WBDC will refine the conceptual plan they submitted with their proposal. The SDC/WBDC partnership will then present the findings of the market analysis and the refined conceptual plan to the Board of Selectmen. As required by Section 20 of the Shrewsbury Development Corporation enabling legislation, the SDC will request that the Board of Selectmen hold a public hearing to solicit questions and comments on the project, and then following the public hearing, the SDC will request that the Board of Selectmen authorize the SDC to develop the former Allen Property as presented at the public hearing.

Once the Board of Selectmen has approved the development project, the SDC will request that the Board of Selectmen/Town of Shrewsbury transfer title of the property to the SDC, so that we can enter into appropriate contractual agreements with the WBDC regarding the development of the property.

The SDC meets quarterly with the Board of Selectmen to provide project updates and to solicit any necessary guidance. Additionally, all of our meetings are public and we would welcome your attendance at those meetings. I look forward to providing Town meeting members with future updates. Thank you.

VOTED UNANIMOUSLY a motion to accept the report of the Shrewsbury Development Corporation.

***Article 2 Wright and Harlow Charitable Fund**

VOTED UNANIMOUSLY a motion that the following individuals be named trustees of the Wright and Harlow Charitable Trust Fund:

| | |
|-------------------|-------------------|
| Carlo P. Alano | Raymond G. Harlow |
| Gail E. Claflin | Abbie C. Larson |
| Beverly S. Fisher | Donald R. Gray |
| Bernice L. Gordon | |

***Article 3 Personnel Bylaw
 Amend Classification and Compensation Plan**

VOTED UNANIMOUSLY that the Town amend the Classification and Compensation Plan and the Consolidated Personnel Bylaw by repealing the salary schedules and the assignment of position classes to compensation grades and by adopting new salary schedules and new assignment of position classes to compensation grades prepared by the Personnel Board and on file in the office of the Town Clerk, and said new salary schedules and the assignment of position classes to be effective on July 1, 2004.

***Article 4 Personnel Bylaw
 Hours of Work and Overtime**

VOTED UNANIMOUSLY a motion to amend the Consolidated Personnel Bylaw by amending SECTION 20. HOURS OF WORK AND OVERTIME by deleting Paragraph (g.) in its entirety and inserting in place the following new Paragraph (g.):

- g) An employee recalled to duty because of an emergency shall be credited with not less than 3 hours for such recall duty. Compensatory time off for such overtime may be allowed if agreeable to the employee and his Department Head.

***Article 5 Medical Expenses of Retired Disabled
 Police Officers and Firefighters**

VOTED the motion as stated to raise and appropriate the sum of \$1,487 to pay the medical expenses of retired disabled police officers and firefighters.

***Article 6 Transfer from Free Cash to
 Various Departmental Appropriations**

VOTED UNANIMOUSLY the substitute printed motion to transfer \$388,000 from Free Cash to the following departmental appropriations for Fiscal 2004:

| Department | Account | Acct Number | Amount | Reason |
|--------------------|-------------------------------|-------------------|-----------|---|
| Highway Department | Overtime | 01-0421-03-510090 | \$25,000 | Snow and Ice Control |
| | Rental of Equipment | 01-0421-04-520140 | \$55,000 | Snow and Ice Control |
| | Repair & Maintenance Parts | 01-0421-05-540010 | \$20,000 | Snow and Ice Control |
| | Salt & Chemicals | 01-0421-05-540060 | \$68,000 | Snow and Ice Control |
| Operating Support | Group Health & Life Insurance | 01-0159-09-510330 | \$200,000 | Premium increase and additional employees participating in the program. |
| | Unemployment Compensation | 01-0159-09-510380 | \$20,000 | Increase in number of former employees that have accessed this pay as you go program. |
| Total | | | \$388,000 | |

And it was further voted to transfer \$100,000.00 from Public Buildings Salaries and Wages Account 01-0192-03-510010 to the following accounts:

| Department | Account | Acct Number | Amount | Reason |
|------------|---------|-------------|--------|--------|
|------------|---------|-------------|--------|--------|

| | | | | |
|------------------|-----------------------|-------------------|-----------|----------------------------------|
| Public Buildings | Contractual Services | 01-0192-04-520130 | \$35,000 | Contractual cleaning expenses |
| | Utility- Electricity | 01-0192-04-520010 | \$35,000 | Electricity costs have increased |
| | Utility – Natural Gas | 01-0192-04-520020 | \$30,000 | Natural gas costs have increased |
| Total | | | \$100,000 | |

*Article 7

Town Budget

Finance Committee Report

The moderator presented the budget for consideration by the town meeting members under general headings, line items, classifications and department.

The following amendments and changes in the budget were approved by the Finance Committee and voted by the town meeting members.

Personnel Board

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VOTED a motion to delete under (9) Separately Iden. Apps., the sum of \$500 and insert the sum of \$400,500; to delete under (1 to 9) Grand Total, the sum of \$6,600 and insert the sum of \$406,600.

Town Manager

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VOTED a motion to delete under (1) Salaries-Prof.,Exec.,Admin., the sum of \$105,496 and insert the sum of \$108,661; to delete under (1-2-3) Salaries-Grand Total the sum of \$252,259 and insert the sum of \$255,424; to delete under (1 to 9) Grand Total, the sum of \$267,610 and insert the sum of \$270,775.

Town Clerk

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Motion made to delete under (1) Salaries-Prof.,Exec.,Admin., the sum of \$65,266 and insert the sum of \$67,224; to delete under (1-2-3) Salaries-Grand Total, the sum of \$150,634 and insert the sum of \$152,592; to delete under (1 to 9), the sum of \$159,974 and insert the sum of \$161,932.

VOTED to end debate and vote a motion to amend the motion to amend.

DEFEATED a motion to amend the motion to amend by inserting under (1) Salaries-Prof.,Exec.,Admin., the sum of \$72,406.

Finance Committee does not recommend motion to amend the motion to amend

VOTED the motion to delete under (1) Salaries-Prof.,Exec.Admin., the sum of \$65,266 and insert the sum of \$67,224; to delete under (1-2-3) Salaries-Grand Total, the sum of \$150,634 and insert the sum of \$152,592; to delete under (1 to 9), the sum of \$159,974 and insert the sum of \$161,932.

Library

610

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Motion made to amend under (2) Salaries-Sec.&Clerical, by striking the sum of \$616,681 and inserting the sum of \$633,181.

Finance Committee does not recommend motion to amend

VOTED to end debate and vote the motion to amend.

DEFEATED the motion to amend under (2) Salaries-Sec.&Clerical, by striking the sum of \$616,681 and inserting the sum of \$633,181.

VOTED a substitute motion to raise the sum of \$73,964,161.00 in the following manner:

\$68,748,001.00

by taxation

| | |
|----------------|--|
| \$1,992,000.00 | by transfer from Free Cash |
| \$100,000.00 | by transfer from Personnel Board Salary Account 01-011909 and applying it to the Personnel Board budget |
| \$1,900,000.00 | by transfer from Sewer Surplus and applying \$1,877,568.00 to the Sewer Department budget and \$22,432.00 to Debt and Interest |
| \$273,150.00 | by accepting said sum from the Municipal Light Department to be applied to Debt and Interest |
| \$514,456.00 | by accepting said sum from CATV funds of the Municipal Light Department to be applied to Debt and Interest |
| \$4,831.00 | by transfer from the Title V Loan Repayment Account (Acct 1910-192000) to be applied to Debt and Interest |
| \$80,000.00 | by transfer from Worker's Compensation Trust Fund Account 82-012304 and applying it to the General Insurance Budget |
| \$250,000.00 | by transfer from the Coal Ash Reserve Account and applying it to the Board of Health budget |
| \$90,223.00 | by transfer from the Overlay Reserve and applying it to the Finance Committee budget (Reserve Fund) |
| \$11,500.00 | By transfer from Cemetery Trust and applying it to the MIS budget |

and accepting the same to the various departments and purposes as specifically set forth in detail in the report of the Finance Committee as amended except that line items 1, Salaries – Professional, Executive, Administrative, 2, Salaries – Secretarial and Clerical, and 3, Salaries – All Other, be combined under Salaries Grand Total 1-2-3 and considered as one appropriation for all budgets and that line items 4, Contractual Services, 5, Supplies and Materials, and 6, Other Expenses, be combined under total 4,5,6, and considered as one appropriation for all budgets and further appropriate all receipts and other sums of money in accordance with and as recommended in said report as amended, and do further move that, in accordance with Chapter 41, Section 108 of the General Laws, the salaries of all elected town officers be fixed at the amounts and rates set forth in the Finance Committee’s report, as amended, effective from July 1, 2004, and all salaries and wages are hereby made effective from July 1, 2004 said wages and salaries to be at the rates set in the Classification and Compensation Plan and the Consolidated Personnel Bylaw in effect July 1, 2004 that said report, as amended, be received and placed on file and that the sum of \$73,959,036 appearing in the Fiscal 2005 printed grand total of all departmental budgets be deleted and the sum of \$73,964,161.00 be substituted in place thereof.

***Article 8 Omnibus Capital Budget**

VOTED UNANIMOUSLY a motion to raise and appropriate the sum of \$844,480.00 and transfer the sum of \$60,000.00 from Cemetery Trust Funds and the sum of \$30,000.00 from the Water Conservation Fund to fund the costs associated with the adoption of an Omnibus Capital Budget for the fiscal period beginning July 1, 2004 as follows:

| Department | Item/Project | Amount | Funding Source | Explanation/Comment |
|---------------------|--|-----------|----------------|--|
| Cemetery Department | General Paving | \$25,000 | Trust Fund | Repaves some of the existing driveways. |
| | Replace Existing One-Ton Dump Truck | \$35,000 | Trust Fund | Vehicle is 15 years old. |
| Highway Department | Reconstruction of public ways | \$100,000 | Taxation | Annual appropriation for general street reconstruction. Current balance on account is \$1,043,292. |
| | Replace Superintendent Vehicle with Pickup | \$34,000 | Taxation | Vehicle has 126,000 miles and is 5 years old. |
| Library Department | Repairs to Slate Roof | \$17,980 | Taxation | Flashing and slate repairs to stop roof leaks. |
| Public Buildings | Re-seam Sherwood Middle and Paton Schools EPDM Roofs | \$70,000 | Taxation | Maintenance of existing roofs. |
| Police Department | Replace Cruisers | \$82,500 | Taxation | Replace (3) marked cruisers. |

| | | | | |
|----------------------------|---|-----------|-------------------------|---|
| | Replace Transport Van | \$48,000 | Taxation | Existing van is 15 years old. |
| Water Department | Replace Pickup | \$37,000 | Taxation | Existing vehicle has 105,000 miles and is 8 years old. Pickup also doubles as a plow vehicle. |
| | Replace Superintendent Vehicle with Pickup | \$25,000 | Taxation | Existing vehicle has 100,500 miles and is 11 years old. |
| | Equipment Replacement – Air Stripping Tower | \$210,000 | Taxation | Existing unit is beginning to fail due to internal corrosion. |
| | New Generator – Gulf Street Booster Station | \$210,000 | Taxation | Existing station does not have a generator. |
| | Leak Detection Equipment | 30,000 | Water Conservation Fund | New equipment to assist in leak detection. |
| Commission on Disabilities | Various Building improvements | \$10,000 | Taxation | Funds to be used to improve facility access. |
| | Total | \$934,480 | | |

***Article 9 Sale of Cemetery Lots**

VOTED UNANIMOUSLY a motion to transfer the sum of \$25,000.00 from the Sale of Cemetery Lots account to the Cemetery Department for the care, improvement and embellishment or enlargement of the cemetery.

***Article 10 Departmental Bills of Prior Years**

VOTED UNANIMOUSLY a motion to raise and appropriate the sum of \$508.00 to pay departmental bills contracted in prior years to Trippi's Uniforms, Inc.

***Article 11 Laying Out and Making Public
Certain Streets and Portions of Streets**

VOTED UNANIMOUSLY to accept the report of the Board of Selectmen in laying out and making public the following streets, in whole or in part, as shown on plans filed in the office of the Town Clerk.

POSSIBLE STREETS

SUBDIVISION

- | | |
|-----------------------------|---------------------------|
| 1. AMHERST ROAD | MARSHALL ESTATES |
| 2. ARROWOOD DRIVE (P/O) | COUNTRY MEADOWS II |
| 3. ASHTON DRIVE | WINCHESTER ESTATES II |
| 4. ASPEN ROAD | ASPEN HILL |
| 5. BERKSHIRE ROAD | MARSHALL ESTATES |
| 6. CHARTWELL CIRCLE | WINSTON RIDGE ESTATES |
| 7. CLAREMONT CIRCLE | MARSHALL ESTATES |
| 8. CRANBROOK ROAD (P/O) | JAMESTOWN HEIGHTS |
| 9. FARMINGTON DRIVE | WINCHESTER ESTATES II |
| 10. JAMIE LANE | HIGH MEADOW ESTATES |
| 11. ROCKWELL DRIVE | WINCHESTER ESTATES I & II |
| 12. WHITEHALL CIRCLE | WINSTON RIDGE ESTATES |
| 13. NORTH STREET (P/O) | HIGH MEADOW ESTATES |

Planning Board Report recommending acceptance was filed with the Town Clerk

***Article 12**

**Accept Parcel of Land
Hills Farm Estates Subdivision**

VOTED UNANIMOUSLY a motion to accept a certain parcel of land in the Hills Farm Estates subdivision being Parcel “C” (Open Area) as shown on sheet 5 of 13 of the definitive subdivision plan of “Hills Farm Estates” a cluster-zone development in Shrewsbury, Massachusetts prepared for Hills Farm Development Company, scale 1”=40’, dated December 30, 1987; prepared by Moore Survey & Mapping Corp. 29 Grafton Circle, Shrewsbury, Massachusetts, signed by Town Clerk and Planning Board on June 2, 1988”, and recorded in the Worcester District Registry of Deeds in Plan Book 601, Plan 100, and being more particularly described as follows:

BEGINNING at a point on the easterly sideline of 1997 town layout of Stoney Hill Road, said point being at land now or formerly of Hartford Realty Trust of Shrewsbury:

THENCE S 63°-29’-06” E, 78.59 feet by lot 170, land owned now or formerly of Peter and Camella Viteritti to a point;

THENCE S 44°-50’-57” W, 46.57 feet by land owned now or formerly of Town of Shrewsbury to a point;

THENCE S 44°-15’-59” W, 102.60 feet by land of said Town of Shrewsbury to a point;

THENCE S 43°-30’-12” E, 50.17 feet by land of said Town of Shrewsbury to a point;

THENCE N 63°-29’-05” W, 18.00 feet by lot 169, land owned now or formerly of Judith Evans and John Astill to a point on easterly sideline of said Stoney Hill Road;

THENCE N 26°-30’-54” E, 189.91 feet by the easterly sideline of Stoney Hill Road to the point of beginning.

Said Parcel “C” (Open Area) contains an area of 0.2086± acres of land. All tree and walls, if any, are included in this conveyance.

***Article 13**

**Accept Parcel of Land
Winchester Estates II Subdivision**

VOTED UNANIMOUSLY a motion to accept a certain parcel of land in Winchester Estates II Subdivision located on the easterly side of Memorial Drive (Route# 140), the southerly side of Gold Street and the westerly side of Farmington Drive being Parcel 313 containing 45,096± square feet of land as shown on the plan entitled “Owner : Town of Shrewsbury, acceptance plan of land in Winchester Estates II Subdivision in Shrewsbury, MA Scale: 1 inch = 40 feet, FEB 10 2003, Prepared by M.C.G. Development Services, and being further bounded and described as follows:

PARCEL 313

BEGINNING at a granite bound on the Southerly sideline of Gold Street, at the Northeasterly corner of the herein described premises said point being at a granite bound:

THENCE Southeasterly, 47.13 feet along a curve to the right having a radius of 30.00 feet to a granite bound on the westerly sideline of Farmington Drive;

THENCE S 01° 07’ 47” W, 49.34 feet to a granite bound on said sideline of Farmington Drive;

THENCE Southeasterly, 99.25 feet along a curve to the left having a radius of 165.00 feet to a granite bound along said sideline of Farmington Drive;

THENCE S 33° 20’ 00” E, 13.55 feet to a concrete bound at the northerly lot corner # 236 of Halliday;

THENCE S 56° 40' 00" W, 165.00 feet along the northerly sideline of lot #236 to a concrete bound at the westerly corner of Halliday;
THENCE N 72° 00' 00" W, 38.42 feet to a point;
THENCE Continuing S 72° 00' 00" W, 17.02 feet to a concrete bound;.
THENCE N 11° 00'00" W, 136.70 feet to a concrete bound on the easterly side of Memorial Drive;
THENCE Northwesterly 86.34 feet along a curve to the left having a radius of 2040.00 feet to a concrete bound on said sideline of Memorial Drive;
THENCE Northeasterly, 63.15 feet along a curve to the right having a radius of 40.00 feet to a concrete bound on the sourtherly sideline of the 1848 TOWN LAYOUT OF Gold Street:
THENCE S 88° 52' 13" E, 110.24 feet along the 1848 TOWN LAYOUT of Gold Street to a granite bound being the point of beginning.

Said Parcel 313 contains an area of 45,096± square feet of land. All tree and walls and buildings, if any, upon the land taken are included in this taking.

Planning Board report recommending acceptance was placed on file with town clerk

ADJOURNMENT

VOTED a motion to adjourn at 10:40 P.M. to Wednesday, May 19, 2004 at 7:00 P.M.

ATTEST:

Ann M. Dagle
Town Clerk